

### **Amendments To The Drawings**

Attached please find the following:

1. A Replacement Sheet to replace the original sheet including Fig. 1; and
2. A Replacement sheet to replace the original sheet including Fig. 2.

The specific changes made are as follows:

In Fig. 1, the handwritten portions (reference signs 110(a) and 110(b)) have been replaced with printed portions.

In Fig. 2, the reference sign "20" has been added and the handwritten portions have been replaced with printed portions.

## **REMARKS**

Claims 5 and 23 have been cancelled, and claims 1, 2, 3, 4, 6, 8, 13, 15, 20, 21, 22 and 24 have been amended by this Amendment. Applicants reserve the right to pursue the original claims and other claims in this application and other applications. Claims 1, 2, 3, 4, 6, 8, 13, 15, 20, 21, 22 and 24 are pending in this application.

Fig. 2 has been amended to include reference sign "20" as requested by the Office Action, and Figs. 1 and 2 have been amended to replace handwritten portions with printed portions. The specification has been amended to correct the errors as requested by the Office Action. No new matter has been added.

Claims 4 and 5 and claims 22 and 23, respectively, are objected to as being substantial duplicates with the same scope. Applicants respectfully disagree with the Office Action's contention that encrypt and encode have the same scope. While encryption may be one type of encoding, not all encoding utilizes encryption. Thus, something that is encoded is not necessarily encrypted. However, to facilitate prosecution, claims 5 and 23 have been cancelled.

Claims 8 and 15 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 8 and 15 have been amended to address the Office Action's concerns.

Claims 1, 3-6, 8, 13, 15 and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vaghi (U.S. 6,571,223) in view of Moed et al. (U.S. 5,770,841). Claims 2 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vaghi in view of Moed et al. and further in view of Minckler (U.S. 6,612,676). Reconsideration is respectfully requested.

Claim 1 as amended is directed to "a method for processing a batch of mailpieces using a mailing machine, the batch of mailpieces being held in a predetermined sequence in a plurality of containers, each container holding a predetermined portion of the batch of mailpieces, each mailpiece in the batch including

information printed thereon that indicates sequence data of each mailpiece in the batch of mailpieces and postage data for determining a postage charge for the mailpiece, the information being printed in machine readable format, the method comprising: scanning the information printed on a mailpiece to obtain the sequence data of the mailpiece and the postage data for the mailpiece; calculating the postage charge for the mailpiece based on the postage data obtained from the scanning the information printed on the mailpiece; printing an indicia on the mailpiece that represents the calculated postage charge; determining if the sequence data for the mailpiece includes a container break indicator that signifies the mailpiece is a final mailpiece for a first container of the plurality of containers used to hold the batch of mailpieces; if the sequence data does not include a container break indicator, depositing the mailpiece in the first container and accepting a next mailpiece for processing; and if the sequence data does include a container break indicator, depositing the mailpiece in the first container and modifying operation of the mailing machine to deposit subsequent mailpieces in the batch of mailpieces into a second container of the plurality of containers used for holding the batch of mailpieces, wherein the predetermined sequence of the batch of mailpieces and the predetermined portion of the batch of mailpieces in each of the plurality of containers is maintained.” Support for claim 1 as amended can be found in the specification at least in paragraphs [0018], [0019], and [0025].

Vaghi, in contrast, is directed to a system for generating information for sending items by mail or private carrier that includes an electronic scale for weighing an item, a printer which prints encoded information on a sheet of material indicative of the weight of the item, a computer terminal running a program for computing postal/private carrier rates, and a scanner which scans the encoded information and then inputs data indicative of the weight of the item into the program. (Col. 2, lines 15-23). There is no disclosure, teaching or suggestion in Vaghi of using a mailing machine to process a batch of mailpieces that are “held in a predetermined sequence in a plurality of containers, each container holding a predetermined portion of the batch of mailpieces, each mailpiece in the batch including information printed thereon that indicates sequence data of each mailpiece in the batch of mailpieces” that includes “determining if the sequence data for the mailpiece includes a container break indicator that signifies

the mailpiece is a final mailpiece for a first container of the plurality of containers used to hold the batch of mailpieces; if the sequence data does not include a container break indicator, depositing the mailpiece in the first container and accepting a next mailpiece for processing; and if the sequence data does include a container break indicator, depositing the mailpiece in the first container and modifying operation of the mailing machine to deposit subsequent mailpieces in the batch of mailpieces into a second container of the plurality of containers used for holding the batch of mailpieces, wherein the predetermined sequence of the batch of mailpieces and the predetermined portion of the batch of mailpieces in each of the plurality of containers is maintained” as is recited in claim 1 as amended.

The references to Moed et al. and Minckler do not cure the above deficiencies, as there is no disclosure, teaching or suggestion in either one of “determining if the sequence data for the mailpiece includes a container break indicator that signifies the mailpiece is a final mailpiece for a first container of the plurality of containers used to hold the batch of mailpieces; if the sequence data does not include a container break indicator, depositing the mailpiece in the first container and accepting a next mailpiece for processing; and if the sequence data does include a container break indicator, depositing the mailpiece in the first container and modifying operation of the mailing machine to deposit subsequent mailpieces in the batch of mailpieces into a second container of the plurality of containers used for holding the batch of mailpieces, wherein the predetermined sequence of the batch of mailpieces and the predetermined portion of the batch of mailpieces in each of the plurality of containers is maintained” as is recited in claim 1 as amended.

For at least the above reasons, Applicants respectfully submit that claim 1 as amended is allowable over the prior art of record. Claims 3, 4, 6 and 8, dependent upon claim 1, are allowable along with claim 1 and on their own merits.

Claim 13 as amended is directed to a mailing machine for processing a batch of mailpieces and includes limitations similar to those of claim 1. For the same reasons give above with respect to claim 1, Applicant respectfully submits that claim 13 as

amended is allowable over the prior art of record. Claims 15, 21, 22 and 24, dependent upon claim 13, are allowable along with claim 13 and on their own merits.

In view of the foregoing amendments and remarks, it is respectfully submitted that the claims of this case are in a condition for allowance and favorable action thereon is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian A. Lemm", is written over a horizontal line.

Brian A. Lemm  
Reg. No. 43,748  
Attorney for Applicants  
Telephone (203) 924-3836

PITNEY BOWES INC.  
Intellectual Property and  
Technology Law Department  
35 Waterview Drive  
P.O. Box 3000  
Shelton, CT 06484-8000

Enclosures – Replacement Sheets for Figs. 1 and 2